

ASSEMBLY BILL

No. 1358

Introduced by Assembly Member Fong

February 22, 2013

An act to amend Section 76060.5 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1358, as introduced, Fong. Student body association: student representation fee.

Existing law authorizes the governing board of a community college district to authorize the students of a college to organize a student body association to encourage students to participate in the governance of the college and conduct any activities, including fundraising activities. Existing law authorizes a student body association to order an election be held to establish a student representation fee of \$1 per semester, collected by officials of the community college at or before registration.

This bill would instead authorize the election to establish the fee in the amount of \$2, and would require $\frac{1}{2}$ of the student representation fee to be expended to establish and support the operations of an independent statewide community college student organization, recognized by the Board of Governors of the California Community Colleges, with governmental affairs representatives to advocate before the Legislature and other state and local governmental entities. To the extent that this additional requirement would impose new collection duties on the community colleges, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 76060.5 of the Education Code is
2 amended to read:

3 76060.5. (a) If a student body association has been established
4 at a community college as authorized by Section 76060, the
5 governing body of the association may order that an election be
6 held for the purpose of establishing a student representation fee
7 of ~~one dollar (\$1)~~ *two dollars (\$2)* per semester. The election shall
8 be held in compliance with regulations of the Board of Governors
9 of the California Community Colleges and shall be open to all
10 regularly enrolled students of the community college. The
11 affirmative vote of two-thirds of the students voting in the election
12 shall be sufficient to establish the fee. However, the election shall
13 not be sufficient to establish the fee unless the number of students
14 who vote in the election equals or exceeds the average of the
15 number of students who voted in the previous three student body
16 association elections.

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18 (b) *The* student representation fee authorized by this section
19 shall be collected by the officials of the community college,
20 together with all other fees, at the time of registration or before
21 registration and shall be deposited in a separate fiduciary fund
22 established per the California Community Colleges Budget and
23 Accounting Manual for student representation fees. The money
24 collected pursuant to this section shall be expended to provide for
25 the support of governmental affairs representatives who may be
26 stating their positions and viewpoints before city, county, and
27 district governments, and before offices and agencies of the state
28 government. ~~The~~

29 (c) *Fifty cents (\$0.50) of every one dollar (\$1) collected shall*
30 *be expended to establish and support the operations of an*

1 *independent statewide community college student organization,*
 2 *recognized by the Board of Governors of the California Community*
 3 *Colleges, with governmental affairs representatives to advocate*
 4 *before the Legislature and other state and local governmental*
 5 *entities.*

6 (d) The chief fiscal officer of the community college shall have
 7 custody of the money collected pursuant to this section and the
 8 money shall be disbursed for the purposes described above upon
 9 the order of the governing body of the student body association.
 10 The district may retain a portion of the fees collected and deposited
 11 pursuant to this section that is equal to the actual cost of
 12 administering these fees up to, but not more than, 7 percent.

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14 (e) The student representation fee authorized by this section
 15 may be terminated by a majority vote of the students voting in an
 16 election held for that purpose. The election shall be called and held
 17 in compliance with regulations of the Board of Governors of the
 18 California Community Colleges and shall be open to all regularly
 19 enrolled students of the community college.

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21 (f) A student may, for religious, political, financial, or moral
 22 reasons, refuse to pay the student representation fee established
 23 under this section. The refusal shall be submitted in writing to the
 24 college officials at the time the student pays other fees collected
 25 by the college officials. The refusal shall be submitted on the same
 26 form that is used for collection of fees as provided by the college,
 27 which, as determined by the college, shall be as nearly as practical
 28 in the same form as a model form prescribed by regulations of the
 29 Board of Governors of the California Community Colleges.

30 SEC. 2. No reimbursement is required by this act pursuant to
 31 Section 6 of Article XIII B of the California Constitution because
 32 a local agency or school district has the authority to levy service
 33 charges, fees, or assessments sufficient to pay for the program or
 34 level of service mandated by this act, within the meaning of Section
 35 17556 of the Government Code.

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